

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant : Naoki Kimura et al.

Serial No. : 09/855,266

Filed : May 14, 2001

Art Unit : 2152

Examiner : J. Seharaseyon

Confirmation No.: 9570

Notice of Allowance Date: April 5, 2004

Title : SECRETORY MEMBRANE PROTEIN THAT INDUCES OSTEOBLAST
DIFFERENTIATION

MAIL STOP ISSUE FEE

Commissioner for Patents

P.O. Box 1450

Alexandria, VA 22313-1450

RESPONSE TO CORRECTED NOTICE OF ALLOWANCE

In response to the Corrected Notice of Allowance mailed April 5, 2004 (copy enclosed), enclosed is a copy of the following papers filed on March 17, 2004, in response to the original "corrected" Notice of Allowance dated December 18, 2003:

- Response to Notice of Allowance
- Completed issue fee transmittal form PTOL-85b
- Cancelled check for \$1660 and
- Postcard stamped by the USPTO.

Applicants do not understand why a new "Corrected Notice of Allowance" was mailed on April 5, 2004, and the Examiner's supervisor was unable to explain it when asked by an associate of the undersigned on May 14, 2004. At any rate, Applicants submit that the issue fee was duly paid on March 17, 2004, and no further response or payment of fees is necessary. If any fees remain due, or any credits, they can be applied to our Deposit Account No. 06-1050,

CERTIFICATE OF MAILING BY FIRST CLASS MAIL

I hereby certify under 37 CFR §1.8(a) that this correspondence is being deposited with the United States Postal Service as first class mail with sufficient postage on the date indicated below and is addressed to the Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

July 2, 2004

Date of Deposit

Nancy Bechet

Signature

Nancy Bechet

Typed or Printed Name of Person Signing Certificate

Applicant : Naoki Kimura et al.
Serial No. : 09/855,266
Filed : May 14, 2001
Page : 2 of 2

Attorney's Docket No.: 14875-040002 / C1-806PCT-USD1

referencing Attorney Docket Number 14875-040002. Prompt issuance of the patent is respectfully requested.

Respectfully submitted,

Date: July 2, 2004

A handwritten signature in dark ink, appearing to read "Janis K. Fraser", written over a horizontal line.

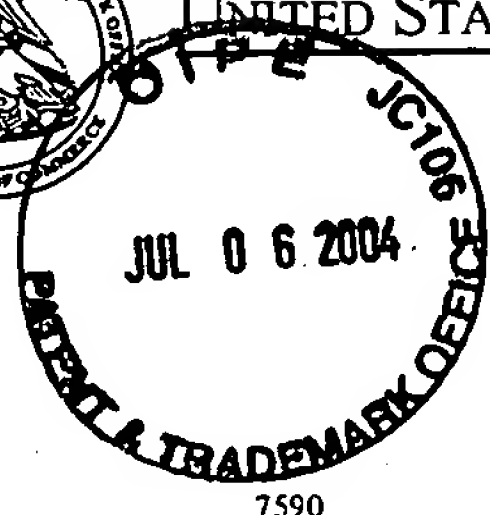
Janis K. Fraser, Ph.D., J.D.
Reg. No. 34,819

Fish & Richardson P.C.
225 Franklin Street
Boston, MA 02110-2804
Telephone: (617) 542-5070
Facsimile: (617) 542-8906



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
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CORRECTED NOTICE OF ALLOWANCE AND FEE(S) DUE

Fish & Richardson P.C.
225 Franklin Street
Boston, MA 02110-2804

04/05/2004 Issue Fee paid 3/11/04

EXAMINER

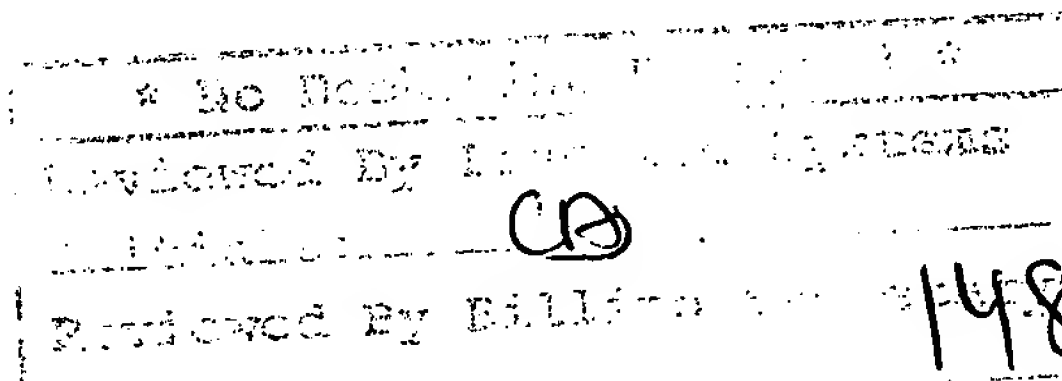
SEHARASEYON, JEGATHEESAN

ART UNIT

PAPER NUMBER

1647

DATE MAILED: 04/05/2004



APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/855,266	05/14/2001	Naoki Kimura	06501-040002 / C1-806PCT-	9570

TITLE OF INVENTION: SECRETORY MEMBRANE PROTEIN THAT INDUCES OSTEOBLAST DIFFERENTIATION

APPLN. TYPE	SMALL ENTITY	ISSUE FEE	PUBLICATION FEE	TOTAL FEE(S) DUE	DATE DUE
nonprovisional	NO	\$0	\$0	\$0	07/06/2004

THE APPLICATION IDENTIFIED ABOVE HAS BEEN EXAMINED AND IS ALLOWED FOR ISSUANCE AS A PATENT. **PROSECUTION ON THE MERITS IS CLOSED.** THIS NOTICE OF ALLOWANCE IS NOT A GRANT OF PATENT RIGHTS. THIS APPLICATION IS SUBJECT TO WITHDRAWAL FROM ISSUE AT THE INITIATIVE OF THE OFFICE OR UPON PETITION BY THE APPLICANT. SEE 37 CFR 1.313 AND MPEP 1308.

THE ISSUE FEE AND PUBLICATION FEE (IF REQUIRED) MUST BE PAID WITHIN THREE MONTHS FROM THE MAILING DATE OF THIS NOTICE OR THIS APPLICATION SHALL BE REGARDED AS ABANDONED. THIS STATUTORY PERIOD CANNOT BE EXTENDED. SEE 35 U.S.C. 151. THE ISSUE FEE DUE INDICATED ABOVE REFLECTS A CREDIT FOR ANY PREVIOUSLY PAID ISSUE FEE APPLIED IN THIS APPLICATION. THE PTOL-85B (OR AN EQUIVALENT) MUST BE RETURNED WITHIN THIS PERIOD EVEN IF NO FEE IS DUE OR THE APPLICATION WILL BE REGARDED AS ABANDONED.

HOW TO REPLY TO THIS NOTICE:

I. Review the SMALL ENTITY status shown above.

If the SMALL ENTITY is shown as YES, verify your current SMALL ENTITY status:

A. If the status is the same, pay the TOTAL FEE(S) DUE shown above.

B. If the status is changed, pay the PUBLICATION FEE (if required) and twice the amount of the ISSUE FEE shown above and notify the United States Patent and Trademark Office of the change in status, or

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If the SMALL ENTITY is shown as NO:

A. Pay TOTAL FEE(S) DUE shown above, or

B. If applicant claimed SMALL ENTITY status before, or is now claiming SMALL ENTITY status, check the box below and enclose the PUBLICATION FEE and 1/2 the ISSUE FEE shown above.

☐ Applicant claims SMALL ENTITY status.
See 37 CFR 1.27.

II. PART B - FEE(S) TRANSMITTAL should be completed and returned to the United States Patent and Trademark Office (USPTO) with your ISSUE FEE and PUBLICATION FEE (if required). Even if the fee(s) have already been paid, Part B - Fee(s) Transmittal should be completed and returned. If you are charging the fee(s) to your deposit account, section "4b" of Part B - Fee(s) Transmittal should be completed and an extra copy of the form should be submitted.

III. All communications regarding this application must give the application number. Please direct all communications prior to issuance to Mail Stop ISSUE FEE unless advised to the contrary.

IMPORTANT REMINDER: Utility patents issuing on applications filed on or after Dec. 12, 1980 may require payment of maintenance fees. It is patentee's responsibility to ensure timely payment of maintenance fees when due.

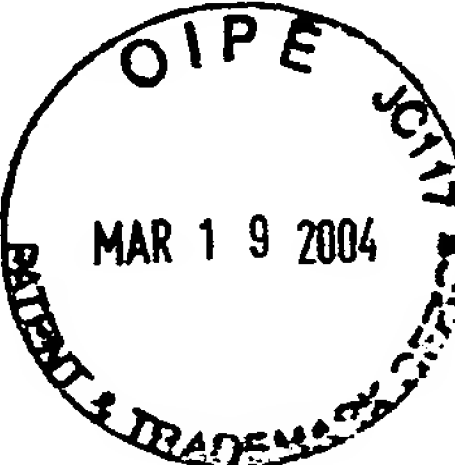
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FISH & RICHARDSON, P.C.
BOSTON OFFICE



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Attorney's Docket No. 14875-040002	Express Mail Label No.	Mailing Date 3-17-04	For PTO Use Only Do Not Mark in This Area 
Application No. 09/855,266	Filing Date May 14, 2001	Attorney/Secretary Init JKF/LIT/bxs	
Title of the Invention SECRETORY MEMBRANE PROTEIN THAT INDUCES OSTEOBLAST DIFFERENTIATION			
Applicant: Naoki Kimura et al.			
Enclosures -Response to Notice of Allowance(1 page) -Part B Fee Transmittal (1 page) -Check in the amount of <u>\$1660.00</u>			

Paid Date = 03/23/2004
Account Number = 80071123
Check Number = 181100
Check Amount = \$1,660.00



FISH & RICHARDSON P.C.

125 Franklin Street
Boston, Massachusetts
02110-2804

c 181100

PAY *One thousand Six Hundred Sixty* DOLLARS

TO THE ORDER OF

COMMISSIONER OF PATENTS AND TRADEMARKS

DATE AMOUNT

3/11/04 1660.00

FISH & RICHARDSON P.C.

52-153/112



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www.fleet.com
South Portland, ME

BY *[Signature]*
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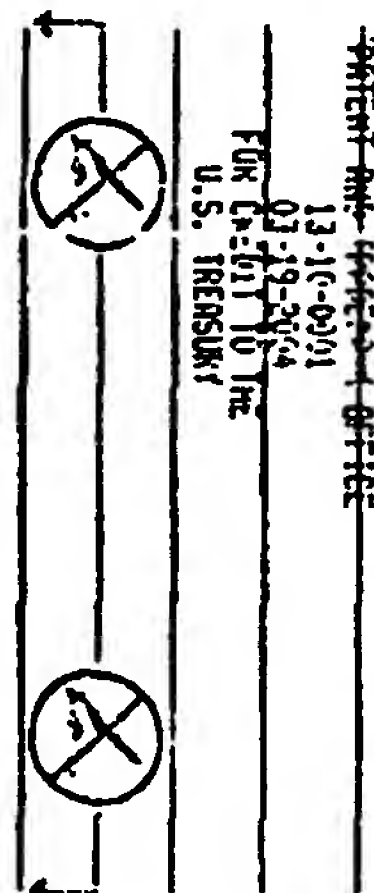
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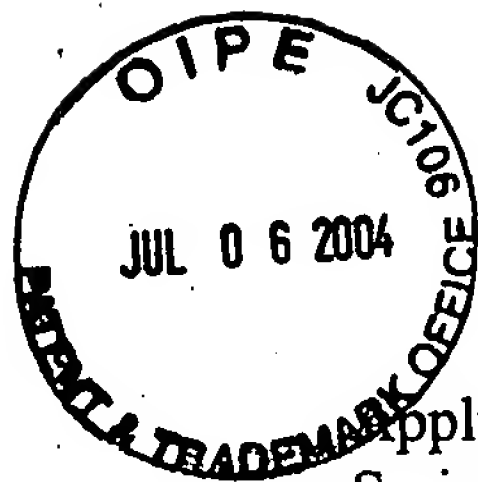
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RESPONSE TO NOTICE OF ALLOWANCE

In response to the Notice of Allowance mailed December 18, 2003, enclosed are a completed issue fee transmittal form PTOL-85b and a check for \$1660 for the required issue fee and publication fee, including patent copies.

Please apply any additional charges or credits to our Deposit Account No. 06-1050.

Respectfully submitted,

Date:

March 17, 2004

Leda Tivins, Reg. No. 50,635
for: Janis K. Fraser, Ph.D., J.D.
Reg. No. 34,819

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225 Franklin Street
Boston, MA 02110-2804
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3/17/04
Date of Deposit

Bethany Slack
Signature

BETHANY SLACK
Typed or Printed Name of Person Signing Certificate



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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/855.266	05/14/2001	Naoki Kimura	06501-040002 / C1-806PCT-	9570
			EXAMINER	
			SEHARASEYON, JEGATHEESAN	
			ART UNIT	PAPER NUMBER
			1647	

Fish & Richardson P.C.
225 Franklin Street
Boston, MA 02110-2804

7590 04/05/2004

DATE MAILED: 04/05/2004

Determination of Patent Term Adjustment under 35 U.S.C. 154 (b)
(application filed on or after May 29, 2000)

The Patent Term Adjustment to date is 0 day(s). If the issue fee is paid on the date that is three months after the mailing date of this notice and the patent issues on the Tuesday before the date that is 28 weeks (six and a half months) after the mailing date of this notice, the Patent Term Adjustment will be 0 day(s).

If a Continued Prosecution Application (CPA) was filed in the above-identified application, the filing date that determines Patent Term Adjustment is the filing date of the most recent CPA.

Applicant will be able to obtain more detailed information by accessing the Patent Application Information Retrieval (PAIR) system (<http://pair.uspto.gov>).

Any questions regarding the Patent Term Extension or Adjustment determination should be directed to the Office of Patent Legal Administration at (703) 305-1383. Questions relating to issue and publication fee payments should be directed to the Customer Service Center of the Office of Patent Publication at (703) 305-8283.